

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:

Professional Fee Matters Concerning the
Jackson Walker Law Firm

Case No. 23-645

SUPPLEMENT TO UNITED STATES TRUSTEE'S
MOTIONS FOR WITHDRAWAL OF THE REFERENCE AND
REFERRAL OF MOTIONS FOR RELIEF UNDER RULE 60(b)(6)

Kevin Epstein, United States Trustee for Region 7 (“United States Trustee”), files this *Supplement to Motions for Withdrawal of the Reference and Referral of Motions for Relief Under Rule 60(b)(6)*, and in support thereof states as follows:

RELEVANT FACTUAL BACKGROUND

1. On November 2 and 3, 2023, the United States Trustee filed *Motions for Relief from Judgment or Order Pursuant to Federal Rule of Civil Procedure 60(b)(6) and Federal Rule of Bankruptcy Procedure 9024 Approving Any Jackson Walker Applications for Compensation and Reimbursement of Expense*¹ (collectively, the “**Rule 60(b)(6) Motions**”).

¹ *In re Westmoreland Coal Company*, Case No. 18-35672 [ECF No. 3360]; *In re J. C. Penney Direct Marketing Services, LLC*, Case No. 20-20184 [ECF No. 1236]; *In re Whiting Petroleum Corporation*, Case No. 20-32021 [ECF No. 1446]; *In re Neiman Marcus Group LTD, LLC*, Case No. 20-32519 [ECF No. 3178]; *In re Stage Stores LLC*, Case No. 20-32564 [ECF No. 1216]; *In re Chesapeake Energy Corporation*, Case No. 20-33233 [ECF No. 4514]; *In re Covia Holdings Corporation*, Case No. 20-33295 [ECF No. 1477]; *In re Tug Robert J. Bouchard Corporation*, Case No. 20-34758 [ECF No. 354]; *In re Mule Sky LLC*, Case No. 20-35561 [ECF No. 1000]; *In re Seadrill Partners LLC*, Case No. 20-35740 [ECF No. 834]; *In re Seadrill Limited*, Case No. 21-30427 [ECF No. 1588]; *In re Brilliant Energy, LLC*, Case No. 21-30936 [ECF No. 254]; *In re Katerra Inc.*, Case No. 21-31861 [ECF No. 2049]; *In re Basic Energy Services, Inc.*, Case No. 21-90002 [ECF No. 1759]; *In re Strike LLC*, Case No. 21-90054 [ECF No. 1471]; *In re 4E Brands Northamerica LLC*, Case No. 22-50009 [ECF No. 517]; *In re Sungard AS New Holdings*, Case No. 22-90018 [ECF No. 1026].

2. Contemporaneously therewith, the United States Trustee filed *Motions for Withdrawal of the Reference and Referral of Motion for Relief under Rule 60(b)(6) and Related Matters*² (collectively, the “**Motions to Withdraw**”).

3. On December 9, 2023, Chief Judge Rodriguez commenced and is presiding over this Miscellaneous Proceeding No. 23-00645, *In re Professional Fee Matters Concerning Jackson Walker Law Firm* (the “**Miscellaneous Proceeding**”).

4. Thereafter, Chief Judge Rodriguez, Judge Isgur, and Judge Lopez entered *Case Management Orders*³ transferring certain matters to the Miscellaneous Proceeding.

5. On December 13, 2023, Chief Judge Rodriguez entered an *Order Setting Non-Evidentiary Electronic Status Conference* [ECF No. 20] (the “**Order**”) in the Miscellaneous Proceeding setting a status conference for December 21, 2023 (the “**December 21 Conference**”).

² *In re Westmoreland Coal Company*, Case No. 18-35672 [ECF No. 3361]; *In re J. C. Penney Direct Marketing Services, LLC*, Case No. 20-20184 [ECF No. 1237]; *In re Whiting Petroleum Corporation*, Case No. 20-32021 [ECF No. 1447]; *In re Neiman Marcus Group LTD, LLC*, Case No. 20-32519 [ECF No. 3179]; *In re Stage Stores LLC*, Case No. 20-32564 [ECF No. 1217]; *In re Chesapeake Energy Corporation*, Case No. 20-33233 [ECF No. 4515]; *In re Covia Holdings Corporation*, Case No. 20-33295 [ECF No. 1478]; *In re Tug Robert J. Bouchard Corporation.*, Case No. 20-34758 [ECF No. 355]; *In re Mule Sky LLC*, Case No. 20-35561 [ECF No. 1001]; *In re Seadrill Partners LLC*, Case No. 20-35740 [ECF No. 835]; *In re Seadrill Limited*, Case No. 21-30427 [ECF No. 1589]; *In re Brilliant Energy, LLC*, Case No. 21-30936 [ECF No. 255]; *In re Katerra Inc.*, Case No. 21-31861 [ECF No. 2050]; *In re Basic Energy Services, Inc.*, Case No. 21-90002 [ECF No. 1760]; *In re Strike LLC*, Case No. 21-90054 [ECF No. 1472]; *In re 4E Brands Northamerica LLC*, Case No. 22-50009 [ECF No. 518]; *In re Sungard AS New Holdings*, Case No. 22-90018 [ECF No. 1027].

³ *In re Westmoreland Coal Company*, Case No. 18-35672 [ECF No. 3364]; *In re J. C. Penney Direct Marketing Services, LLC*, Case No. 20-20184 [ECF No. 1266]; *In re Whiting Petroleum Corporation*, Case No. 20-32021 [ECF No. 1450]; *In re Neiman Marcus Group LTD, LLC*, Case No. 20-32519 [ECF No. 3189]; *In re Stage Stores LLC*, Case No. 20-32564 [ECF No. 1221]; *In re Chesapeake Energy Corporation*, Case No. 20-33233 [ECF No. 4518]; *In re Covia Holdings Corporation*, Case No. 20-33295 [ECF No. 1481]; *In re Tug Robert J. Bouchard Corporation*, Case No. 20-34758 [ECF No. 358]; *In re Mule Sky LLC*, Case No. 20-35561 [ECF No. 1034]; *In re Seadrill Partners LLC*, Case No. 20-35740 [ECF No. 843]; *In re Seadrill Limited*, Case No. 21-30427 [ECF No. 1593]; *In re Brilliant Energy, LLC*, Case No. 21-30936 [ECF No. 271]; *In re Katerra Inc.*, Case No. 21-31861 [ECF No. 2065]; *In re Basic Energy Services, Inc.*, Case No. 21-90002 [ECF No. 1768]; *In re Strike LLC*, Case No. 21-90054 [ECF No. 1509]; *In re 4E Brands Northamerica LLC*, Case No. 22-50009 [ECF No. 542]; *In re Sungard AS New Holdings*, Case No. 22-90018 [ECF No. 1030].

6. On December 21, 2023, Chief Judge Rodriguez issued a *Report and Recommendation to the United States District Court that the United States Trustee's Motion to Withdraw the Reference be Denied* [ECF No. 44].

SUPPLEMENT TO MOTIONS TO WITHDRAW

7. At the December 21 Conference, in response to the Order, the United States Trustee advised the Court that he intended to supplement the Motions to Withdraw to include a list of the Rule 60(b)(6) Motions' "related matters." The Court requested that the supplement be filed by December 28, 2023.

8. This supplement is necessary to identify the Rule 60(b)(6) Motions' "related matters" that would be subject to a withdrawal of reference to the District Court for the Southern District of Texas. At prior, separate hearings in other affected cases, Judge Isgur and Judge Lopez also inquired about the Rule 60(b)(6) Motions "related matters."

9. The United States Trustee hereby supplements his Motions to Withdraw to include as Rule 60(b)(6) Motions' "related matters" the items below that have been filed in the Affected Cases (Exhibits 6A–D to the Rule 60(b)(6) Motions):

- a. All professional fee applications, interim or final, of Jackson Walker;
- b. All professional fee statements of Jackson Walker;
- c. The application to employ Jackson Walker, including any declarations in support of the application;
- d. Any motion for return of fees from or for sanctions against Jackson Walker;
- e. Any amendment, supplementation, or correction to any of the above;
- f. Any objections to any of the above;
- g. Any orders or stipulations entered on any of the above;
- h. Any exhibits filed in connection with any of the above; and

- i. Any discovery issues related to the above.⁴

Date: December 28, 2023

Respectfully submitted,

KEVIN M. EPSTEIN
UNITED STATES TRUSTEE
REGION 7, SOUTHERN AND WESTERN
DISTRICTS OF TEXAS

By: /s/ Millie Aponte Sall

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CERTIFICATE OF SERVICE

I certify that on December 28, 2023 a copy of the foregoing pleading was served on all parties entitled to notice through the Court's CM/ECF system.

/s/ Millie Aponte Sall

Millie Aponte Sall

⁴ The United States Trustee reserves his right to further supplement the related matters to include any future pleading he or a party in interest may file in the Affected Cases or in the Miscellaneous Proceeding.